

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No. 717 of 1997

in

SPECIAL CIVIL APPLICATION No. 4355 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.THAKKER
and
MISS JUSTICE R.M. DOSHIT

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

BHAGUBHAI MAKANJI PATEL

Versus

DY COLLECTOR

Appearance:
MR NV ANJARIA for Petitioner

CORAM : MR.JUSTICE C.K.THAKKER and
MISS JUSTICE R.M.DOSHIT
Date of decision: 09/10/97

ORAL JUDGEMENT {Per : Thakkar, J.}

This appeal is filed against an order passed by the learned Single Judge summarily dismissing the petition being Special Civil Application No. 4355 of 1997. The learned Single Judge after considering the facts and circumstances of the case observed that the Order passed by the authorities, including Gujarat Revenue Tribunal cannot be said to be contrary to law or otherwise unlawful which requires interference in exercise of powers under Articles 226 and 227 of the Constitution of India.

We do not see any infirmity in the order passed by learned Single Judge dated June 24, 1997. No doubt Mr. Anjaria, learned counsel for appellant submitted that in view of pendency of the other proceedings, the learned Single Judge ought to have granted limited prayer of remanding the matter. In our opinion, however, if the learned Single Judge in the light of facts and circumstances of the case did not think it fit to grant the said relief, it cannot be said that the order can be said to be illegal or otherwise unlawful. We, therefore, do not see any infirmity with the order passed by the learned Single Judge. Letters Patent Appeal stands dismissed with no order as to costs.

Prakash*